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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Responsibility of States for internationally wrongful acts

Report of the Committee on Relations with the Host Country

Letter dated 28 September 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I would like to draw your attention to yet another provocative action undertaken recently by the Republic of Armenia in open defiance of the Charter of the United Nations, of fundamental principles of international law and of its obligations under the Vienna Convention on Diplomatic Relations.

It has been revealed and properly documented that, on 27 September 2010, the Permanent Mission of the Republic of Armenia to the United Nations installed two flags on its premises located at 119 East 36th Street, New York, N.Y. 10016, namely, the national flag of the Republic of Armenia and a piece of coloured stuff or rag purported to be a "flag" of the ethnically constructed subordinate separatist entity — the so-called "Nagorno-Karabakh Republic" — illegally established by the Republic of Armenia on the occupied territory of the Republic of Azerbaijan.

Immediately following the appropriate measures undertaken by the Azerbaijani side, the Permanent Mission of the Republic of Armenia quickly removed the "flag" of the separatists and carefully covered up the tracks of its existence.

It is essential to recall with regard to this shameful fact that the illegality of the separatist entity and its structures, established by the Republic of Armenia on the occupied territory of the Republic of Azerbaijan, has been repeatedly stated at the international level in the most unambiguous manner. Thus, the Security Council has consistently reaffirmed both the sovereignty and territorial integrity of the Republic of Azerbaijan and the inadmissibility of the use of force for the acquisition of territory. The Council has also recognized that the Nagorno-Karabakh region is part

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of Azerbaijan and called on a number of occasions for immediate, full and unconditional withdrawal of the occupying forces from all the occupied territories of Azerbaijan. The General Assembly and other international organizations have adopted a similar position. No State in the international community has recognized the separatist entity as independent, not even Armenia, although it exercises effective control over the occupied territories of Azerbaijan and provides indispensable economic, political and military sustenance without which that illegal entity could not exist.

Attention should also be drawn to article 20 of the Vienna Convention on Diplomatic Relations, to which the Republic of Armenia is a party, providing that "[t]he mission and its head shall have the right to use the flag and emblem [only] of the sending State on the premises of the mission, including the residence of the head of the mission, and on his means of transport". Consequently, the Republic of Armenia has blatantly violated this international instrument and once again made it clear in the most unambiguous manner that international law is no authority for this country which exists outside the generally accepted standards of behaviour.

My Government considers the aforementioned fact as an open challenge to the ongoing efforts towards the negotiated settlement of the conflict between Armenia and Azerbaijan. The provocative action of the Republic of Armenia illustrated that this country is not interested in the international-law-based solution of the conflict and perceives the conflict settlement process only as a means of securing the annexation of Azerbaijani territories that it has captured through military force and in which it has carried out ethnic cleansing.

The Republic of Azerbaijan strongly protests against an attempt to promote the illegal separatist entity, which in reality is none other than a product of aggression and outrageous manifestation of ethnic differentiation.

In this regard, the Republic of Azerbaijan considers it unacceptable and inconsistent with the principles of inter-State relations to turn a blind eye to illegal activities of the Republic of Armenia, to proceed from the approach based on equating the aggressor and its victim and to tolerate within the national territories of the members of the international community the actions directed against the sovereignty and territorial integrity of the Republic of Azerbaijan.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 75 and 161, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative